

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN RICHARD JAE,

Plaintiff

v.

DR. ROBERT CLARK;  
MARTIN I. DRAGOVICH;  
JOHN A. PALAKOVICH;  
ROBERT N. NOVOTNEY;  
MICHAEL J. KRAZOR; and  
JOHN ANDRADE,

Defendants

CIVIL ACTION NO. 1:CV-00-1090

(Judge Rambo)  
(Magistrate Judge Smyser)

FILED  
HARRISBURG, PA

FEB 28 2001

MARY E. D'ANDREA, CLERK  
Per Mary E. D'Andrea  
Deputy Clerk

ORDER

Before the court is a February 2, 2001, report of the magistrate judge in which he recommends that the captioned action be dismissed for Plaintiff's failure to pay the \$150.00 filing fee. No objections have been filed.<sup>1</sup> Accordingly, **IT IS HEREBY ORDERED THAT:**

- 1) The court adopts the report and recommendation of Magistrate Judge Smyser.
- 2) The captioned action is dismissed for Plaintiff's failure to file the \$150.00 filing fee.
- 3) It is certified that any appeal from this order will be deemed frivolous and not taken in good faith.
- 4) The clerk of court shall close the file.

Certified from the record

Date 2-28-01  
Mary E. D'Andrea, Clerk

Per Mary E. D'Andrea  
Deputy Clerk

Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: February 28, 2001.

<sup>1</sup>The court notes that the February 2, 2001 report and recommendation were mailed to Plaintiff at his temporary address at SCI Pittsburgh. Objections were due no later than February 20, 2001.